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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,276	08/05/2003	Andreas Fath	071308.0463	7127
31625	7590	04/03/2007	EXAMINER	
BAKER BOTTS L.L.P. PATENT DEPARTMENT 98 SAN JACINTO BLVD., SUITE 1500 AUSTIN, TX 78701-4039			KIM, CHRISTOPHER S	
		ART UNIT	PAPER NUMBER	3752
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
30 DAYS	04/03/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**DETAILED ACTION**

***Response to Amendment***

1. The reply filed on January 2, 2007 is acknowledged.

2. Applicant requests that the newly cited US Patent 5,899,389 be listed on PTO Form 892. Applicant then argues that the prior Office action fails to comply with 35 U.S.C. 132 because the US Patents were not properly cited with sufficient specificity to allow applicants to adequately respond to the rejections. Applicant requests a non-final Office action that includes sufficient specificity of explanation of the application of the references to the claims. It is uncertain whether applicant's request is on the basis that the reference was not identified on PTO Form 892 or that paragraphs 5-8 of the prior Office action were inadequate. While PTO Form 892 was inadvertently omitted from the prior Office action, paragraphs 5-8 clearly identified the US Patents by inventor name and patent number. Additionally, each paragraph in the Office action clearly identified major elements of applicant's claims with a corresponding reference character from the US Patent being applied. The Office action fully complied with 35 U.S.C. 132. Future assertion, without merit, of Office action non compliance with 35 U.S.C. 132 will be ignored. Applicant's lengthy response and arguments are evidence that the references were cited with sufficient specificity to allow applicant to adequately respond. If applicant is incapable of reading his own claims, reading the explanations in the Office action, reading the references, and making a determination of the interpretation of the references in the Office action, applicant is encouraged to contact the examiner.

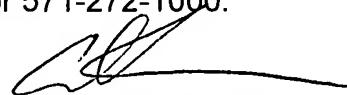
Therefore, per MPEP 710.06, applicant is given one month time period for reply from the mailing date of this Office action which corrects the error of the omitted PTO Form 892. A PTO Form 892 listing the US Patent is included in this communication. No new non final Office action will be provided. Since applicant asserts that applicant has not been given an opportunity to adequately respond, presumably because of the previously omitted PTO Form 892, applicant's reply must be considered to be not fully responsive.

3. Applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Kim whose telephone number is (571) 272-4905. The examiner can normally be reached on Monday - Thursday, 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher S. Kim  
Primary Examiner  
Art Unit 3752

CK